

# MICHIGAN SUPREME COURT



## *Office of Public Information*

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### **NEW LAWS CHANGE UNMARRIED PARENTS' OBLIGATIONS; FATHERS, MOTHERS TO SHARE PRENATAL CARE EXPENSES AND OTHER COSTS**

LANSGING, MI, September 28, 2004 – Under Michigan's long-standing paternity law, courts could compel men who fathered children out of wedlock to pay all the costs of prenatal care and medical expenses for the mother and child. That will change on October 1 when a new law, Public Act 253 of 2004, goes into effect.

Statutory changes will permit courts to order unmarried parents to share the cost of prenatal care and other medical expenses related to pregnancy and childbirth. The court must consider both parties' ability to pay, the new law provides.

Previously, the law provided that the father was responsible for all the mother's costs. The court could divide the costs of prenatal expenses between the mother and the father.

"The old law grew out of a time when most women did not work outside the home or control their own money," said Daniel J. Wright, Director of the Friend of the Court Bureau, a division of the State Court Administrative Office. "The man paid because he was assumed to be in a better financial position than the woman. Today, that assumption is no longer valid. The law was revised to reflect the society in which we live."

The new law also provides that parents of a child born out of wedlock may avoid paying birth and prenatal expenses back to the state if they marry. The state may seek reimbursement from the father if the mother is indigent and the state pays for prenatal care and other pregnancy-related care. Formerly, the father was still liable to the state for those expenses even if the parents later married. Under the new law, the state can seek reimbursement if the parents later divorce.

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